

\*E-Filed 11/8/11\*

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## Attorneys for the Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, ) No. CR 11-0298 RS  
Plaintiff, )  
v. )  
GILBERTO ANDRACA-CARDENAS, )  
Defendant. )  
)  
**STIPULATION AND [PROPOSED]  
ORDER EXCLUDING TIME UNDER 18  
U.S.C. § 3161**

The defendant appeared for a status conference before this Court on October 25, 2011.

The parties requested that this matter be continued to December 13, 2011. The defendant needs time to review the additional discovery that was provided by the Government. There were no objections. The parties have agreed to exclude the period of time between October 25, 2011 to December 13, 2011, from any time limits applicable under 18 U.S.C. § 3161. The parties represented that granting the exclusion would allow the reasonable time necessary for effective preparation and continuity of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agree that good cause exists, and that the ends of justice served by granting such an exclusion of time

1 outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §  
2 3161(h)(7)(A). At the hearing, the Court made findings consistent with this agreement.

3 SO STIPULATED:

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5 MELINDA HAAG  
United States Attorney

6  
7 DATED: November 8, 2011

/s/  
8 SUSAN PHAN  
Special Assistant U.S. Attorney

9  
10 DATED: November 8, 2011

/s/  
11 STEVEN KALAR  
Attorney for GILBERTO ANDRACA-CARDENAS

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1                   [PROPOSED] ORDER

2                 For the reasons stated above at the October 25, 2011 status conference, the Court finds  
3                 that the exclusion from the time limits applicable under 18 U.S.C. § 3161 of the period from  
4                 October 25 to December 13, 2011 is warranted and that good cause exists, and the ends of  
5                 justice served by the continuance outweigh the best interests of the public and the defendant in a  
6                 speedy trial. 18 U.S.C. §3161(h)(7)(A).

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8                 IT IS SO ORDERED.

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10                 DATED: 11/8/11

  
RICHARD SEEBORG  
United States District Judge